

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Dawn Holter,

Plaintiff,

v.

CM Association Group  
c/o Compliance Department  
108 Business Center Drive, Ste A  
Corona, CA 92880

Defendant.

Case No.

**COMPLAINT**

**Jury Demand Requested**

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**JURISDICTION AND VENUE**

- 1- This court has jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

**PARTIES**

- 3- Plaintiff is a resident of the State of Illinois.
- 4- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 5- Defendant is a corporation with its principal place of business in the State of California.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

**FACTS COMMON TO ALL COUNTS**

9- On May 31, 2011, Plaintiff filed a voluntary bankruptcy petition that included the Debt.

10- On or around August 25, 2011, Defendant telephoned Plaintiff to collect the Debt.

11- During this communication, Defendant threatened to serve Plaintiff with a lawsuit if the Debt was not paid.

12- During this communication, Defendant threatened to garnish Plaintiff's wages in the Debt was not paid.

13- At the time of this communication, Defendant did not have a garnishment order against Plaintiff.

14- Defendant damaged Plaintiff.

15- Defendant violated the FDCPA.

**COUNT I**

16- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

17- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or legal status of the debt.

**COUNT II**

18- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

19- Defendant violated 15 USC § 1692e(5) by threatening to take action that it could not legally take.

**COUNT III**

20- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

21- Defendant violated 15 USC § 1692e(5) by threatening to take action that it did not intend to take.

**COUNT IV**

22- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

23- Defendant violated 15 USC § 1692e(10) by making false representations during the collection, or attempted collection, of a debt.

**COUNT V**

24- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

25- Defendant violated 15 USC § 1692f by using unfair and unconscionable means to collect or attempt to collect a debt.

**JURY DEMAND**

26- Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

27- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorney's fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and

- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

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